

# **ADULT FOSTER CARE LICENSING ADVISORY COUNCIL MEETING MINUTES**

**August 20, 2008**

## **MEMBERS PRESENT**

Lacey Charboneau, Andrew Farmer, Phillip Lancaster, Linda Lawther, Paul McClain, Kathleen Murphy, Brian Sabourin, Lauren Swanson

## **MEMBERS ABSENT**

Cynthia Farrell, David Herbel, Ellen Sugrue-Hyman

## **ADULT FOSTER CARE/HOME FOR THE AGED LICENSING STAFF**

Deborah Wood, Division Director,  
Tom McWhorter, Program Specialist  
Marva Chambers, Secretary

## **VISITORS**

Allen Adams, DHS - Office of Adult Services  
Norm Grant, Bureau of Fire Services  
Brenda Roberts, Michigan Assisted Living Association

Phillip Lancaster called the meeting to order. Introduction of Council members showed a quorum was present.

## **Approval of Agenda**

Linda Lawther made a motion to approve the agenda. Andy Farmer seconded the motion. Motion passed.

## **Approval of Minutes – May 21, 2008 meeting**

Lacey Charboneau made a motion to approve the minutes as written. Paul McClain seconded the motion. The May 21, 2008 minutes were approved as written.

## **Guest Speaker – Norman Grant, Bureau of Fire Services**

Lacey said that when the subcommittee, Public Policy for Fire Safety met, they decided they needed more information regarding the AFC 7+ fire safety administrative rules and an update of the rule review process.

Andy said he understood the purpose of the subcommittee was (1) to get current fire safety standards and practices; (2) to get an overview of the mission of updating of rules and the committee's part; (3) language for special needs person; (4) what is resident's choice for evacuating.

Norm Grant was invited to attend the Council meeting to answer questions regarding the fire safety rules and the direction the Bureau of Fire Services (BFS) is taking in regard to updating the rules and the main issues being addressed.

The Council discussed their concerns regarding fire drills for residents with special needs and possibly using a proxy to protect the fragile residents. Norm said this has not been considered. Norm advised that the Bureau of Fire Services has looked at staff ratio in facilities that have residents who are bedridden and agreed this needs to be addressed.

Deborah said that BFS and BCAL should have discussions concerning the enforcement of evacuation drills and possibly the trade associations may want to consider providing fire drill training to licensees.

Kathleen said she thought Michigan Assisted Living Association would be willing to provide training to licensees with BFS assistance.

The Council discussed with Norm their concerns regarding acceptable fire drills. Areas of question were fire drills in cold weather. Norm advised that an acceptable fire drill in January for AFC 7+ would be getting residents within 3-5 feet of the door when the temperature is zero or below.

NOTE: BCAL has always required residents to exit the facility when practicing fire drills, however, we also advise licensees that there is no reason they should be conducting fire drills on the coldest days of the year.

Linda requested that during discussion that the Council be careful not to make negative generalization of all homes. A lot of providers are concerned and do a good job of protecting residents.

Interest in data for number of fires in facilities was expressed. Norm said he was not aware of them being logged. Lauren Swanson will contact Rhonda Howard in BFS who receives incident reports for AFC 7+ facilities to see if this information can be obtained.

Norm said when there is a fire at a facility, the licensing consultant is contacted first or the BFS Supervisor of the Region where the facility is located. If it is during office hours, the BFS inspector will go out that day or the next day if after hours. Norm said they should be notified of a fire even if no one is hurt. The facility needs to be approved by BFS after repairs before occupancy is allowed.

Deborah said that BFS looks at the fire damage and BCAL looks at the safety and needs of residents; do residents need to be moved.

Norm was asked if the new AFC 7+ fire safety rules would require a sprinkling system in existing homes. Norm advised the committee would be looking at this issue.

The Council tabled discussion concerning sprinkling systems being required in existing homes to the afternoon discussion in the subcommittee.

Kathleen suggested inviting Norm to the next AFC Licensing Advisory Council meeting to give an update on the AFC 7+ fire safety review. Norm agreed if his supervisor approves.

It was suggested that adult foster care licensees should be involved in the rule review. Norm said it was difficult to get licensees to participate although there is one who has regularly attended. Kathleen and Lauren said they would contact licensees to participate.

Linda Lawther made a motion that the Council Chair requests the AFC Advisory Council have representation at the Fire Services AFC 7+ Rules Workgroup meetings. And further that based on Lacey Charboneau's willingness to participate, that we approve her as the council's representative to the workgroup. Motion seconded by Kathleen Murphy. Motion passed.

BREAK

Linda Lawther called the meeting back to order after a short break.

#### **Division/Bureau Updates - Deborah Wood**

Staffing Issues – Deborah reported that the DHS final budget approved 9 new positions for BCAL. The positions will be divided between the Divisions. Two of the 9 positions will be for the 2 background check analysts, currently being funded by DCH and by federal grant.

A new area manager for the Pontiac/Clinton Township office, Denise Nunn, has been hired and will begin September 8<sup>th</sup>. Ms. Nunn has 8 years experience as a manager. This position has been vacant since November 2007 due to retirement of the previous Area Manager.

A vacant Detroit consultant position and a vacant Lansing consultant position have been filled to replace staff that has left. Interviews are also being conducted to fill a vacant consultant position in Jackson that was the result of retirement.

Focused Onsite Renewal Inspection Update - Results of the completed questionnaires received since the last meeting was distributed. Responses from

the licensees regarding the Focused Onsite Renewal Inspection continue to be positive.

Background Check Update – A copy of the System Statistics for the Michigan LTC Program for Background Checks was reviewed. 98,532 AFC and HFA facility employees have been entered on the Long-Term Care Background Check System as of 8-19-08. 10% of the people with criminal records were excluded from employment, or about 838 people. About 3,112 were excluded from employment due to registry hits.

To reduce the amount of time the background check analysts spend on the phone providing technical assistance to help new licensees navigate the [miltcpartnership.org](http://miltcpartnership.org) website, they will begin monthly orientations for new licensees on September 18, 2008.

Division Statistics - Deborah provided the Division Activity Report and Special Investigation Performance Activity statistics for 8/1/07-7/31/08 to the Council for their review and comparison to information provided at previous meetings. Deborah said activity remains stable, with an up and down that stays within range as the Division continues to focus on special investigations being completed timely.

Enforcement Issues – The Notice of Intent Log for May through July was provided to the Council to keep them updated on the type of rule violations and actions being taken by the Division. Deborah said most of the rule violations are related to protection or medications.

Andy asked if the Bureau could track what rules are most often cited in a particular area. Deborah said she would ask Tim Hickman if this information could be tracked.

Deborah provided special investigation statistics for September 1, 2007 through July 31, 2008 to the Council for their review. This report is provided at each meeting as requested by the Council.

Legislative Issues – Deborah reported that there have been no significant legislative changes since those discussed at the Council meeting on May 21, 2008.

Paul McClain said he would report back to the Council at the next meeting regarding the status of the Medicaid Waiver.

#### Other

Andy recommended that the Council look at the Bureau's resource needs in relation to next years budget to continue what was done last year that resulted in additional FTE's for the Bureau.

Deborah said the Bureau appreciates the 9 additional FTE's but it still won't be enough to allow our staff to be timely in the completion of their work. Deborah is sure that the letter the Council wrote and Linda's testimony at the Senate Appropriation Subcommittee on behalf of the Council helped to get those additional FTE's and thanked the Council for their support.

Adjournment - Andy moved to adjourn the meeting, Lauren seconded. The meeting was adjourned at 12:00 p.m. by Chair Phil Lancaster.

**NEXT MEETING:** Wednesday, November 19, 2008, 9:30 a.m, 7109 W. Saginaw, Conference Room 2-1

**IF YOU ARE UNABLE TO ATTEND, PLEASE CALL MARVA CHAMBERS AT 517-373-8580**